

REMARKS

Claim amendments

In the Final Action, the Examiner indicated that claim 3 would be allowable if rewritten into independent form including limitations of the base claim and intervening claim 2. In this amendment, claim 1 has been rewritten to incorporate the subject matter of claims 2 and 3. Therefore, claim 1 and dependent claims therefrom are allowable.


Independent claim 9 has been amended to include the subject matter of claim 3 which the Examiner indicated was allowable – a rib projecting from the lower surface of the carrier and extending between the first and second sides, and having positioning features in the form of voids formed in the rib. (See final action, page 7) Accordingly, claim 9 and claims dependent therefrom should also be allowed.

The present amendments are submitted to make place all pending claims into allowable form and should be entered. The present amendments also make the prior art rejections moot since the claims are amended to include the allowable subject matter of claim 3. Neither Fanning EP 802413 nor Maes EP 896224 disclose a carrier for holding test sample devices and test tubes which includes the rib with voids in the manner recited. In both Fanning and Maes, the boat (“carrier”) is moved by a stepper motor and paddle arrangement in which steps (revolutions) of the motor indicate how far the carrier is moved. The carrier of the prior art does not include or suggest the rib with voids as claimed.

The application is believed in condition for allowance and favorable action to that

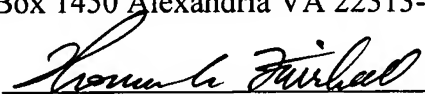
end is requested.

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Date: 1/30/08 by: 
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CERTIFICATE OF MAILING

The undersigned hereby certifies that the foregoing Amendment After Final is being deposited as first class mail postage prepaid in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450 Alexandria VA 22313-1450 on this 30th day of January, 2008.


Thomas A. Fairhall